

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ISLA BONITA METALS, INC.,

Plaintiff

v.

WISE ALLOYS, INC.,

Defendant

CIVIL NO. 09-1608 (JP)

JUDGMENT BY DEFAULT

Before the Court is Plaintiff Isla Bonita Metals, Inc.'s ("Isla Bonita") motion for default judgment as to Defendant Wise Alloys, Inc. ("Wise Alloys") (**No. 7**). Plaintiff's motion is unopposed.

By way of background, Plaintiff Isla Bonita filed the instant action for breach of contract on July 2, 2009. Plaintiff served Defendant Wise Alloys on October 30, 2009 (No. 4). Defendant did not file a responsive pleading or a request an for extension of time within the twenty days after service permitted by Rule 12(a) of the Federal Rules of Civil Procedure. Accordingly, Plaintiff moved for entry of default (No. 5). The Clerk of the Court entered default against Defendant on December 3, 2009 (No. 6). Subsequently, Plaintiff Isla Bonita filed a motion for default judgment (No. 8).

In support of its motion for default judgment, Plaintiff attached a statement under penalty of perjury by Iris B. Colon Rosario, Treasurer and Comptroller of Isla Bonita, claiming personal

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knowledge of the facts alleged in the complaint. Also, Plaintiff filed an account statement and copies of the invoices owed by Defendant, thus supporting the material allegations in the complaint.

Upon consideration of Plaintiff's evidence, the Court enters the following finding of fact:

- (1) Plaintiff Isla Bonita is owed \$509,127.98 by Defendant Wise Alloys for merchandise delivered by Plaintiff to Defendant.

Pursuant thereto, the Court hereby **ENTERS JUDGMENT FOR PLAINTIFF TO HAVE AND RECOVER** from Defendant Wise Alloys the amount of **\$509,127.98.**

IT IS SO ORDERED.

In San Juan, Puerto Rico, this 14th day of December, 2009.

S/Jaime Pieras, Jr.

JAIME PIERAS, JR.
U.S. SENIOR DISTRICT JUDGE